



1743/DPa  
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**UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:  
Serial No.:  
Filed:  
Title:

Hideko KOSAKA

10/523,865

February 7, 2005

PROTEIN ASSAY METHOD, INDICATOR FOR PROTEIN ASSAY,  
AND TEST PIECE FOR PROTEIN ASSAY

Confirmation No.:

1872

Group Art:

1645

Docket:

10921.0278USWO

**CERTIFICATE UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 10, 2006.

By:

Name: Antonette Peters

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**52835**

PATENT TRADEMARK OFFICE

Commissioner:

The following papers are transmitted herewith:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 4 references, copy of European Search Report
- ☒ Return Postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 50-3478. A duplicate of this sheet is enclosed.

Hamre, Schumann, Mueller & Larson, P.C.  
P.O. Box 2902 Minneapolis, MN 55402-0902  
612.455-3800

By:

Name: Douglas P. Mueller

Reg. No.: 80,300

Initials: DPM/acp

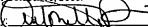


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hideko KOSAKA                      Examiner: Unknown  
Serial No.: 10/523,865                      Group Art Unit: 1645  
Filed: February 7, 2005                      Docket: 10921.0278USWO  
Title: PROTEIN ASSAY METHOD, INDICATOR FOR PROTEIN ASSAY,  
AND TEST PIECE FOR PROTEIN ASSAY

**CERTIFICATE UNDER 37 CFR 1.8:**

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By:   
Name: Antonette Peters

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Copies of any foreign patent documents or "Other Documents" are enclosed. Some of the references were recently cited in a European Search Report for the corresponding European application, mailed July 31, 2006. The Search Report is enclosed for the Examiner's reference.

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the Filing Date, before the mailing date of a First Office Action on the merits, or before the mailing date of a First Office Action on the merits after the filing of a request for continued examination under 37 C.F.R. §1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance, and
- ☐ the requisite Statement is below, OR
- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein, or
- ☐ (3) after the mailing date of a Final Rejection or Notice of Allowance but on or before the payment of the Issue Fee, AND

- ☐ the requisite Statement is below, AND
- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein.

### STATEMENT

As required under §1.97(e), Applicants hereby state either that:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.
- ☐ If this box is checked, Applicant provides the following:

#### **Certification Under 37 C.F.R. §1.704(d)**

In accordance with 37 C.F.R. §1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

- ☐ The Examiner is hereby advised of the following co-pending U.S. applications. A copy of each U.S. patent application publication (if published) or application (if not published) is enclosed.

Application No.

Filing Date

Group

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

**FEE AUTHORIZATION**

Should any fee associated with the submission of this paper not be attached hereto as a check, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 50-3478. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,



HAMRE, SCHUMANN, MUELLER &  
LARSON, P.C.

Post Office Box 2902

Minneapolis, MN 55402-0902

(612) 455-3800

Dated: October 10, 2006

By: 

Douglas P. Mueller

Reg. No. 30,300

DPM:acp

<b>FORM 1449</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 10921.0278USWO	Application Number: 10/523,865
	Applicant: Hideko KOSAKA	
	Filing Date: February 7, 2005	Group Art Unit 1645

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
/DAG/	WO 03/075008	09/2003	WIPO				
/DAG/	WO 03/001213	01/2003	WIPO				
/DAG/	EP 0 361 244	04/1990	European Patent Office				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
		European Search Report for corresponding European application EP 03 78 4516, mailed July 31, 2006.					
/DAG/		Tseng et al., Interaction between rose Bengal and different protein components. Cornea, July 1995, Col 14, No. 4, pp. 427-435. Abstract from website submitted. <a href="http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?CMD=Display&amp;DB=pubmed">http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?CMD=Display&amp;DB=pubmed</a>					

**52835**  
PATENT TRADEMARK OFFICE

EXAMINER /Dwan Gerido/	DATE CONSIDERED 08/05/2008
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	